

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

CRIMINAL CASE
NO. 04-10149 RWZ

ERIC R. RESTEINER
Defendant

REPORT & ORDER ON
INITIAL & INTERIM STATUS CONFERENCE

ALEXANDER, U.S.M.J.

On August 4, 2004, the parties appeared before this Court for an Initial Status Conference and on September 14, 2004, the parties appeared before this Court for a Interim Status Conference. With regard to the following issues, the parties have represented that:

1. There are no unusual or complex issues presented requiring an early joint conference of the District Judge or the Magistrate Judge with the attorneys;
2. Features of the case that may deserve special attention or modification of the standard schedule include voluminous discovery, including detailed financial records from the Bahamas and the United States comprising over thirty million dollars(\$30,000,000) in financial transfers, which must be reviewed before the case can move forward toward a resolution;
3. There is anticipated supplemental discovery from the Bahamas;
4. There is no discovery concerning any expert witnesses, pursuant to Fed. R. Crim. P. 16 (a)(1)(E) & 16(b)(1)(C);
5. The applicable periods of excludable delay under the Speedy Trial Act include: June 18, through October 12, 2004 (116 days), for a total of one hundred and sixteen (116) days as of October 12, 2004. The total amount of time to proceed to trial is seventy (70) days as of October 12, 2004;
6. Trial and its duration are uncertain at this time;
7. Other matters: the government anticipates filing a motion to determine competency

under 18 U.S.C. §4241 based upon statements made by the defendant, primarily during the time of his custody in Singapore in connection with his extradition hearings.

IT IS HEREBY ORDERED THAT

A motion date pursuant to Fed. R. Crim. P. 12 (c) has not been established. A **Final Status Conference** is scheduled at **2:30 p.m.** on **October 12, 2004**, in Courtroom 24, 7th floor.

Pursuant to LR 116.5 (C), parties shall confer and, not later than three (3) business days before the Final status Conference, prepare and file a joint Final Status Conference Memorandum.

HONORABLE JOYCE LONDON ALEXANDER
U.S. MAGISTRATE JUDGE

By the Court:

September 29, 2004
Date

/S/ Rex Brown
Courtroom Clerk
(617) 748-9238